

U.S. District Court
Middle District of Florida (Jacksonville)
CRIMINAL DOCKET FOR CASE #: 3:20-mj-01250-JBT All Defendants

Case title: USA v. Boice

Date Filed: 07/24/2020

Date Terminated: 07/24/2020

Assigned to: Magistrate Judge
Joel B. Toomey

Defendant (1)

Daniel Boice

TERMINATED: 07/24/2020

represented by **Waffa Hanania**

Federal Public Defender's Office*

Suite 1240
200 W Forsyth St
Jacksonville, FL 32202-4326
904/232-3039
Fax: 904/232-1937
Email: Waffa_Hanania@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender
Appointment

Pending Counts

None

Disposition

Highest Offense Level
(Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level

(Terminated)

None

Complaints

18:1343.F FRAUD BY WIRE,
RADIO, OR TELEVISION

Disposition

Plaintiff

USA

represented by **David Rodney Brown**
US Attorney's Office - FLM
Suite 700
300 N Hogan St
Jacksonville, FL 32202
904/301-6300
Email: rodney.brown@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Docket Text
07/24/2020	<u>1</u>	Arrest pursuant to Rule 5(c)(3) of Daniel Boice from the Eastern District of Virginia. (TSP) (Entered: 07/24/2020)
07/24/2020	<u>2</u>	Minute Entry for proceedings held before Magistrate Judge Joel B. Toomey: INITIAL APPEARANCE in Rule 5(c)(3) proceedings held on 7/24/2020 as to Daniel Boice from the Eastern District of Virginia. (Digital) (TSP) (Entered: 07/24/2020)
07/24/2020	3	ORAL MOTION to Appoint Counsel by Daniel Boice. (TSP) (Entered: 07/24/2020)
07/24/2020	4	ORAL MOTION for Bond by USA as to Daniel Boice. (TSP) (Entered: 07/24/2020)
07/24/2020	<u>6</u>	***CJA 23 Financial Affidavit by Daniel Boice. (TSP) (Entered: 07/24/2020)
07/24/2020	<u>7</u>	Unsecured Appearance BOND entered as to Daniel Boice in amount of \$500,000.00 with no deposit required to the Registry of the Court. (TSP) Modified on 7/27/2020 (TSP). (Entered: 07/24/2020)

		07/24/2020)
07/24/2020	<u>8</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER (granting 3 oral motion to appoint counsel) as to Daniel Boice. Signed by Magistrate Judge Joel B. Toomey on 7/24/2020. (TSP) (Entered: 07/24/2020)
07/24/2020	<u>9</u>	ORDER Setting Conditions of Release (granting 4 oral motion for bond) as to Daniel Boice (1) Unsecured Appearance Bond. Signed by Magistrate Judge Joel B. Toomey on 7/24/2020. (TSP) (Entered: 07/24/2020)
07/24/2020	<u>10</u>	WAIVER of Rule 5 (c)(3) Hearings hearing by Daniel Boice. (Filed in Open Court) (TSP) (Entered: 07/24/2020)
07/24/2020	<u>11</u>	ORDER OF REMOVAL pursuant to Rule 5(c)(3) to the Eastern District of Virginia as to Daniel Boice. Signed by Magistrate Judge Joel B. Toomey on 7/24/2020. (TSP) (Entered: 07/24/2020)
07/24/2020		NOTICE to Eastern District of Virginia of a Rule 5 or Rule 32 Initial Appearance as to Daniel Boice regarding your case number: 1:20-cr-167. Using your PACER account, you may retrieve the docket sheet and any documents via the case number link. No documents/record will be sent. If you require certified copies of any documents please send a request to InterdistrictTransfer_FLMD@flmd.uscourts.gov. If you wish the court to use a different email address in the future, please send a request to update your address to InterdistrictTransfer_TXND@txnd.uscourts.gov. (TSP) (Entered: 07/24/2020)
07/27/2020	<u>12</u>	Notice of Surrendered Passport as to Daniel Boice Passport Number 1164 issued by USA. (jkl) (Entered: 07/27/2020)

PACER Service Center			
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07/28/2020 09:48:52			
PACER Login:	binnkky:5170375:0	Client Code:	
Description:	Docket Report	Search Criteria:	3:20-mj-01250-JBT

Billable Pages:	2	Cost:	0.20
Exempt flag:	Exempt	Exempt reason:	Always

PACER fee: Exempt

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

UNITED STATES OF AMERICA

vs.

CASE NO: 3:20-mj-1250-JBT

DANIEL BOICE

ORDER

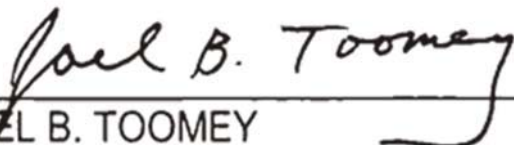
The Defendant appeared before this Court pursuant to Rule 5(c)(3), Fed.R.Crim.P., having been arrested on a warrant issued by the Eastern District of Virginia. The Defendant was advised of the charges, rights, maximum penalties and of his right to counsel.

The Defendant appeared with counsel and freely, voluntarily, knowingly and intelligently waived his right to an identity hearing. Accordingly, it is hereby **ORDERED**:

1. The Defendant, having been released on conditions, is directed to appear before the Honorable Theresa Carroll Buchanan, United States Magistrate Judge, on August 4, 2020 at 2:00 p.m., via the Government Zoom Link, which will be provided to Defendant prior to the hearing.

2. The Clerk of Court shall transmit to the Eastern District of Virginia any appropriate documentation from the file and then close this file.

DONE AND ORDERED in Jacksonville, Florida this 24th day of July, 2020.



JOEL B. TOOMEY
United States Magistrate Judge

Copies to:
Asst. U. S. Attorney (Brown)
Federal Public Defender
U. S. Marshals Service
U. S. Pretrial Services
Defendant

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

UNITED STATES OF AMERICA

v.

ORDER SETTING CONDITIONS
OF RELEASE

DANIEL BOICE

Case No. 3:20-mj-1250-JBT

IT IS ORDERED that the release of the Defendant is subject to the following conditions:

- (1) The Defendant **shall not commit** any offense in violation of federal, state or local law while on release in this case and shall report any violations, arrests or convictions to the U.S. Pretrial Services Office immediately.
- (2) The Defendant shall report any contact with any law enforcement personnel, including but not limited to, any arrest, questioning, or traffic stop to Pretrial Services.
- (3) The Defendant **shall reside at the address provided to the Court and not change his address without prior permission from the Court.**
- (4) The Defendant **shall appear** at all proceedings as required and shall surrender for service of any sentence imposed as directed. The Defendant shall next appear before U.S. Magistrate Judge, Theresa Carroll Buchanan, on **August 4, 2020 at 2:00 p.m.**, via the Government Zoom Link, which will be provided to Defendant prior to the hearing.

ADDITIONAL CONDITIONS OF RELEASE

In order reasonably to assure the appearance of the Defendant and the safety of other persons and the community, it is **FURTHER ORDERED** that the release of Defendant is subject to the conditions set forth below:

(5) **Financial Conditions:**

The Defendant shall execute an **unsecured** bond binding Defendant to pay the United States of America the sum of **\$500,000.00, with no money deposited with the Registry of the Clerk of Court.** This bond is to secure attendance of Defendant in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed or for failure to obey any and all of the other conditions of release imposed herein.

(6) **Specific Conditions: The Defendant shall**

- A. Report on a regular basis to the Pretrial Services Office as directed by the Pretrial Services Officer.
- B. Not travel outside the Middle District of Florida and the State of Virginia. Defendant's travel may be modified by the Pretrial Services Officer.
- C. Avoid all contact, directly or indirectly, outside the presence of counsel with the following persons: with any known victims or potential witnesses, which includes all investors in Trustify.
- D. Refrain from possessing a firearm, destructive device, or other dangerous weapon.
- E. Refrain from **any** use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 unless prescribed by a licensed medical practitioner.
- F. Submit to a psychiatric evaluation and treatment/mental health evaluation and treatment as directed by the Pretrial Services Office, with cost borne by Defendant as determined by the Pretrial Services Office.
- G. Undergo drug testing, urinalysis testing, education, and treatment as directed by the Pretrial Services Office.
- H. Submit to any method of testing required by the Pretrial Services Office or the Supervising Officer for determining whether the Defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. Defendant shall be financially responsible for this program to the extent determined by the Pretrial Services Office.
- I. Refrain from obstructing or attempting to obstruct, adulterate, dilute or tamper in any fashion, with the efficiency and accuracy of any prohibited substance testing that is required as a condition of release.
- J. Surrender his passport to the Clerk of Court by July 27, 2020. Not apply for or obtain a new or replacement passport, or any other travel document.
- K. Refrain from soliciting money from investors for business ventures or establishing new lines of credit without permission from Pretrial Services.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of any crime while on pre-trial release may result in an additional sentence to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to five years of imprisonment, and a \$250,000 fine or both to intimidate or attempt to intimidate a witness, victim, juror, informant or officer of the court, or to obstruct a criminal investigation. It is also a crime punishable by up to ten years of imprisonment, a \$250,000 fine or both, to tamper with a witness, victim or informant, or to retaliate against a witness, victim or informant, or to threaten or attempt to do so.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear may result in the forfeiture of any bond poste

Acknowledgment of Defendant

I acknowledge that I am the Defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Date:

July 24, 2020



Signature of Defendant

431 N. Fletcher Ave

Address

Fernandina Bch, Fl. 32034


City and State

Telephone:

DIRECTIONS TO UNITED STATES MARSHAL

- (X) The Defendant is **ORDERED** released after processing.
- () The United States Marshal is **ORDERED** to keep the Defendant in custody until notified by the clerk or judicial officer that the Defendant has posted bond and/or complied with all other conditions of release. The Defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: July 24, 2020



JOEL B. TOOMEY

United States Magistrate Judge

Copies to:
Assistant U.S. Attorney (Brown)
U.S. Marshals Service
U.S. Pretrial Services
U.S. Probation Office
Defendant